

REMARKS

Summary of the Office Action

Claims 30-35, 38-52, and 55-63 were rejected under 35 U.S.C. § 102(b) as being anticipated by Krehl U.S. Patent No. 5,690,415.

Claims 37, 64-69, 72-81, 82-87, 89-99 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Krehl.

Claims 36, 38-40, 53-57, 70-74, 88, and 90-92 were objected to as being dependent upon a rejected based claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Summary of Applicants' Response

Applicants have amended claims 30, 32, 34, 37-38, 41, 47, 51, 54-55, 64, 66, 68, 71-72, 75-77, 82, 86, 90, and 93-95 and cancelled claims 1-29, 31, 33, 35-36, 42-46, 49-50, 58-59, 65, 67, 69-70, and 84-85 to address the Examiner's objections to claims 36, 38-40, and 70-74 and to more clearly point out and distinctly claim the subject matter of their invention.

The Examiner's objections were addressed by amending independent claims 30 and 64 to include the limitation of the dependent claims that "wherein the panel includes at least one electrical fixture, the panel being electrically coupled to the first and second conductive members such that the electrical fixture receives power therefrom" as follows:

Applicants have amended claim 30 to include the features of dependent claims 31, 35, and 36 which have been cancelled.

Applicants have amended claim 64 to include the features of dependent claims 65, 69, and 70, which have been cancelled.

Applicants respectfully submit that these amendments place claims 30 and 64 and their respective dependent claims in condition for allowance.

Applicants note with appreciation the indication of allowable subject matter in claims 53-57, 88, and 90-92. Applicants hereby expressly reserve the right to those claims in independent form, to the extent applicants have not already done so, if the base claims are ultimately not allowed.

Applicants also reserve the right to disqualify the cited references as prior art.

Applicants respectfully traverse the rejections under 35 U.S.C. § 102(b) and the rejections under 35 U.S.C. § 103(a).

Reply to Rejections Under 35 U.S.C. § 102(b) and Under
35 U.S.C. § 103(a)

Applicants respectfully submit that Krehl fails to disclose, teach, suggest, or render obvious the claimed inventions.

Krehl discloses a "modular shelving and lighting system" that "provides a support structure upon which shelves may be attached" (col. 2, lines 45-47). As described in Krehl, "the system also provides electrical access along the support structure. The electricity may be accessed in a manner which allows the shelves to include internal wiring to a lamp housing which may be energized by the electricity. The electricity may

be accessed in a manner which does not hinder shelf placement" (col. 2, lines 52-57).

The electricity is provided by means of a power source such as power source 16 (FIG. 2), which "may consist of a battery, an electrical outlet or any other source of electrical power" (col. 4, lines 48-49). "The power source 16 is electrically connected to an electric bus 18 which is carried by the track 6" (col. 4, lines 11-12). "The electrical bus 18 connects to the power source 16 by means of wires 32, 33" (col. 4, lines 35-36). As shown in FIG. 2, "wires 32, 33 are common electrical type wires having an inner conductor and an outer insulator. The outer insulators of wires 32, 33 are removed proximate to the end which connects to the electrical tracks 80, 82. The exposed inner conductor of wires 32, 33 are then inserted into the hollow copper tubes of tracks 82, 80, respectively. The hollow copper tubes of tracks 80, 82 are then crimped to retain the inserted wires and to form an electrical connection" (col. 4, lines 39-46).

With this configuration, a line voltage power source provides power to the shelving system by means of wires that are **integrated** into an electrical bus in the vertical tracks. "The electrical bus provides a hot and a neutral electrical access on tracks 82 and 80, respectively" (col. 4, lines 59-61). That is, one vertical track is associated with the positive current polarity while the other is associated with the negative current polarity.

In contrast, the modular lighting system of the present invention discloses a modular lighting system that provides low voltage power to the system by means of wire-free

conductive members that are placed inside vertical members. Each vertical member may have two conductive members, one for the positive current polarity and the other for the negative current polarity, without the need to have wires integrated into them. Vertical tracks with integrated wires are not present in the modular lighting system of the present invention. With its adjacent vertical tracks having opposite polarity and wires integrated into the hollow copper tubes of the tracks, Krehl directly teaches away from having a single vertical member provide both positive and negative current polarities without the need for integrated wires to form an electrical connection.

Further, there is no suggestion or motivation in Krehl to provide opposite polarity conductors in the same vertical track that receives low voltage power. The lack of means for providing a modular lighting system in which each vertical member has two conductors of opposite polarity connected to a low voltage power source is a strong indication that those means were not obvious at the time the invention was made.

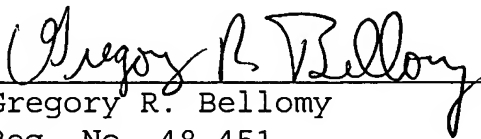
Therefore, applicants respectfully submit that Krehl does not anticipate or render obvious claims 30, 47, 64, 82, and their respective dependent claims. Since Krehl fails to anticipate or render obvious the claimed inventions of claims 30, 47, 64, and 82, applicants respectfully submit that claims 30, 47, 64, and 82, and their respective dependent claims, distinguish from, and are allowable over, the cited reference.

In addition, applicants reserve the right to assert that Krehl is not prior art to the present application.

Conclusion

In view of the above amendments and remarks,
applicants respectfully submit that the present application is
in condition for allowance.

Respectfully submitted,


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